

current locations. Thus, the current license condition already allows the licensee to permanently abandon the current monitoring sites (as long as alternate sites are selected).

#### *Alternative Use of Resources*

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Virgil C. Summer Nuclear Station, Unit 1.

#### *Agencies and Persons Consulted*

On April 14, 1995, the staff consulted with Mr. John Sims, Deputy of External Research, U.S. Geological Survey regarding the type of equipment used for seismic monitoring networks. Mr. Sims commented that the equipment was generally compact; therefore, he judged that there were no significant environmental impacts associated with the removal of the equipment and abandonment of the sites.

On April 24, 1995, the staff consulted with Dr. Pradeep Talwani, of the University of South Carolina (USC) regarding the planned disposition of the network monitoring sites if the licensee stops funding the program. Dr. Talwani maintains the seismic monitoring system for the licensee. Dr. Talwani stated that if the licensee stops funding the network, all but one of the monitoring sites will be abandoned (i.e., the equipment will be removed). Dr. Talwani also stated that the monitors were solar powered with battery backups. Therefore, he judged that there were no significant environmental impacts associated with the removal of the equipment and abandonment of the sites.

In accordance with its stated policy, on April 24, 1995, the staff consulted with the South Carolina State official, Mr. Virgil Autry of the Bureau of Solid and Hazardous Waste Management, Department of Health and Environmental Control, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letters dated March 6, 1995, and May 5, 1995, which are available for public inspection at the Commission's Public

Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Fairfield County Library, 300 Washington Street, Winnsboro, SC.

Dated at Rockville, Maryland, this 5th day of June 1995.

For the Nuclear Regulatory Commission.

**Frederick J. Hebdon,**

*Director, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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#### **[Docket Nos. 50-424 and 50-425]**

#### **Georgia Power Company, Et Al.; (Vogtle Electric Generating Plant, Units 1 and 2)**

#### **Exemption**

##### *I*

Georgia Power Company, et al. (the licensee) is the holder of Facility Operating License Nos. NPR-68 and NPF-81, which authorize operation of the Vogtle Electric Generating Plant (VEGP), Units 1 and 2, respectively. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The facilities consist of two pressurized water reactors, VEGP Units 1 and 2, at the licensee's site located near Waynesboro, Georgia.

##### *II*

Title 10 of the Code of Federal Regulations (10 CFR), § 50.60, "Acceptance Criteria for Fracture Prevention Measures for Light-Water Nuclear Power Reactors for Normal Operation," states that all light-water nuclear power reactors must meet the fracture toughness and material surveillance program requirements for the reactor coolant pressure boundary as set forth in Appendices G and H to 10 CFR part 50. Appendix G to 10 CFR part 50 defines pressure/temperature (P/T) limits during any condition of normal operation, including anticipated operational occurrences and system hydrostatic tests to which the pressure boundary may be subjected over its service lifetime. Section 50.60 (b) specifies that alternatives to the described requirements in Appendices G and H to 10 CFR part 50 may be used when an exemption is granted by the Commission under 10 CFR 50.12.

To prevent low temperature overpressure transients that would produce pressure excursions exceeding the Appendix G P/T limits while the

reactor is operating at low temperatures, the licensee installed a low temperature overpressure (LTOP) system. The system includes pressure-relieving devices called Power-Operated Relief Valves (PORVs). The PORVs are set at a pressure low enough so that if an LTOP transient occurred, the mitigation system would prevent the pressure in the reactor vessel from exceeding the Appendix G P/T limits. To prevent the PORVs from lifting as a result of normal operating pressure surges (e.g., reactor coolant pump starting, and shifting operating charging pumps) with the reactor coolant system in a water solid condition, the operating pressure must be maintained below the PORV setpoint. In addition, in order to prevent cavitation of a reactor coolant pump, the operator must maintain a differential pressure across the reactor coolant pump seals. Hence, the licensee must operate the plant in a pressure window that is defined as the difference between the minimum required pressure to start a reactor coolant pump and the operating margin to prevent lifting of the PORVs due to normal operating pressure surges. The licensee's proposed LTOP analysis includes changes to account for the non-conservatism identified in Westinghouse Nuclear Safety Advisory Letter 93005A and NRC Information Notice 93-58. The new analysis accounts for the static head due to evaluation differences and the dynamic head effect of four reactor coolant pump (RCP) operation. By including these factors and using the Appendix G safety margins, the licensee determined that the operating margin to the PORV setpoint would be depleted at approximately 120 °F for Unit 1 and 145 °F for Unit 2. Therefore, operating with these limits could result in the lifting of the PORVs and cavitation of the reactor coolant pumps during normal operation.

The licensee proposed that in determining the design setpoint for LTOP events for Vogtle Units 1 and 2, the allowable pressure be determined using the safety margins developed in an alternate methodology in lieu of the safety margins currently required by Appendix G, 10 CFR part 50. Designated Code Case N-514, the proposed alternate methodology is consistent with guidelines developed by the American Society of Mechanical Engineers (ASME) Working Group on Operating Plant Criteria to define pressure limits during LTOP events that avoid certain unnecessary operational restrictions, provide adequate margins against failure of the reactor pressure vessel, and reduce the potential for unnecessary activation of pressure-relieving devices

used for LTOP. Code Case N-514, "Low Temperature Overpressure Protection," has been approved by the ASME Code Committee. The content of this Code case has been incorporated into Appendix G of Section XI of the ASME Code and Published in the 1993 Addenda to Section XI. The NRC staff is revising 10 CFR 50.55a, which will endorse the 1993 Addenda and Appendix G of Section XI into the regulations.

An exemption from 10 CFR 50.60 is required to use the alternate methodology for calculating the maximum allowable pressure for the LTOP setpoint. By application dated October 3, 1994, as supplemented March 1, 1995, the licensee requested an exemption from 10 CFR 50.60 for this purpose.

In addition to requesting the exemption from 10 CFR 50.50, the licensee proposed an amendment to the Technical Specifications revising the LTOP analysis. The new analysis removes the non-conservatism as described previously.

### III

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule \* \* \*"

The underlying purpose of 10 CFR 50.60 Appendix G is to establish fracture toughness requirements for ferritic materials of pressure-retaining components of the reactor coolant pressure boundary to provide adequate margins of safety during any condition of normal operation, including anticipated operational occurrences, to which the pressure boundary may be subjected over its service lifetime. Section IV.A.2 of this appendix requires that the reactor vessel be operated with P/T limits at least as conservative as those obtained by following the methods of analysis and the required margins of safety of Appendix G of the ASME Code.

Appendix G of the ASME Code requires that the P/T limits be calculated: (a) Using a safety factor of 2

on the principal membrane (pressure) stresses, (b) assuming a flaw at the surface with a depth of one-quarter (1/4) of the vessel wall thickness and a length of six (6) times its depth, and (c) using a conservative fracture toughness curve that is based on the lower bound of static, dynamic, and crack arrest fracture toughness tests on material similar to the Vogtle reactor vessel material.

In determining the setpoint for LTOP events, the licensee proposed to use safety margins based on an alternate methodology consistent with the proposed ASME Code Case N-514 guidelines. The ASME Code Case N-514 allows determination of the setpoint for LTOP events such that the maximum pressure in the vessel would not exceed 110% of the P/T limits of the existing ASME Appendix G. This results in a safety factor of 1.8 on the principal membrane stresses. All other factors, including assumed flaw size and fracture toughness, remain the same. Although this methodology would reduce the safety factor on the principal membrane stresses, the proposed criteria will provide adequate margins of safety to the reactor vessel during LTOP transients and will satisfy the underlying purpose of 10 CFR 50.60 for fracture toughness requirements.

Using the licensee's proposed safety factors instead of Appendix G safety factors to calculate the LTOP setpoint will permit a higher LTOP setpoint than would otherwise be required and will provide added margin to prevent normal operating surges from lifting the PORVs or cavitation of the reactor coolant pumps.

### IV

For the foregoing reasons, the NRC staff has concluded that the licensee's proposed use of the alternate methodology in determining the acceptable setpoint for LTOP events will not present an undue risk to public health and safety and is consistent with the common defense and security. The NRC staff has determined that there are special circumstances present, as specified in 10 CFR 50.12(a)(2), such that application of 10 CFR 50.60 is not necessary in order to achieve the underlying purpose of this regulation.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), this exemption is authorized by law, will not endanger life or property or common defense and security, and is, otherwise, in the public interest. Therefore, the Commission hereby grants the licensee an exemption from the requirements of 10 CFR 50.60 such that in determining the setpoint for

LTOP events, the Appendix G curves for P/T limits are not exceeded by more than 10 percent in order to be in compliance with these regulations. This exemption is applicable only to LTOP conditions during normal operation.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not result in any significant adverse environmental impact (60 FR 28178).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 5th day of June 1995.

For the Nuclear Regulatory Commission.

**Steven A. Varga,**

*Director, Division of Reactor Projects—I/II,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 95-14299 Filed 6-9-95; 8:45 am]

BILLING CODE 7590-01-M

## PRESIDENT'S COUNCIL ON SUSTAINABLE DEVELOPMENT

### Meeting of the President's Council on Sustainable Development (PCSD) in Washington, DC; Notice

**SUMMARY:** The President's Council on Sustainable Development, a partnership of industry, government, and environmental, labor, Native American, and civil rights organizations, will convene its ninth meeting in Washington, DC.

The President's Council on Sustainable Development will present for the first time in a public forum its full set of draft goals and policy recommendations for establishing a long-term path toward a sustainable United States by the year 2040. The Council will also present the latest draft of the challenge statement, identifying what types of practices the United States has employed that have taken us down an unsustainable path, the most recent version of the draft vision statement, and defining principles of sustainable development.

*Date/Time:* Wednesday, 28 June 1995—9:00 a.m.—12:00 p.m.

*Place:* U.S. Chamber of Commerce, 1615 H Street, NW., Washington, DC.

*Status:* Open to the Public/Public comments are welcome.

*Contact:* 202-408-5296.

**Molly Harriss Olson,**

*Executive Director, President's Council on Sustainable Development.*

[FR Doc. 95-14311 Filed 6-9-95; 8:45 am]

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